

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DAVID OSTER, et al.,

Plaintiffs,

v.

WILL LIGHTBOURNE, Director of the
California Department of Social
Services; TOBY DOUGLAS, Director
of the California Department of
Health Care Services; CALIFORNIA
DEPARTMENT OF HEALTH CARE
SERVICES; and CALIFORNIA
DEPARTMENT OF SOCIAL SERVICES,

Defendants.

No. C 09-4668 CW

ORDER DENYING
WITHOUT PREJUDICE
PLAINTIFFS' MOTION
FOR ATTORNEYS'
FEES (Docket No.
273)

On November 17, 2009, Defendants filed a notice of appeal of this Court's first preliminary injunction entered in October 2009. Plaintiffs' motion for attorneys' fees has been pending since December 23, 2009. Docket No. 273.

On March 5, 2012, Defendants appealed this Court's second preliminary injunction, granted on January 19, 2012, and related interlocutory orders, including the Court's March 2, 2012 preliminary injunction order. A case management conference is scheduled for this action on July 25, 2012 at 2:00 pm.

The Court will defer ruling on the motion for attorneys' fees until after the first appeal is decided. For administrative reasons, the Court denies the motion without prejudice, subject to refileing after the appeal on the first preliminary injunction is

1 decided. If the preliminary injunction is affirmed, the Court
2 will decide the motion on the papers. If the preliminary
3 injunction is reversed in whole or in part, the Court will call
4 for supplemental briefs and decide the motion on the papers.

5 IT IS SO ORDERED.

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8 Dated: 4/9/2012


CLAUDIA WILKEN
United States District Judge